

## Message Text

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ACTION NEA-10

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C O N F I D E N T I A L DACCA 3376

E.O. 11652: GDS  
TAGS: SHUM, BG  
SUBJECT: HUMAN RIGHTS: COUNTRY EVALUATION PLAN FOR BANGLADESH

REFS: A. STATE 140365 B. STATE 133681 C. 76 DACCA 4963

1. ALTHOUGH WE HAVE SEVERAL SPECIFIC SUGGESTIONS, WE  
AGREE WITH THE THRUST OF THE FIRST DRAFT OF THE HUMAN  
RIGHTS COUNTRY EVALUATION PLAN (CEP).

2. BACKGROUND, PARA. 1: WHILE POLITICAL INSTITUTIONS IN  
BANGLADESH ARE FRAGILE, THE MARTIAL LAW ADMINISTRATION  
(MLA) HAS BROUGHT A SUFFICIENT DEGREE OF STABILITY TO  
BANGLADESH TO MAKE THE DESCRIPTION "CHRONICALLY UNSTABLE"  
AN OVERSTATEMENT. ADMITTEDLY SOME OF THE IMPROVEMENT  
HAS RESULTED FROM STEPS TAKEN WHICH TO A DEGREE  
CURTAIL HUMAN RIGHTS, E.G., BY REMOVING FROM SOCIETY, NOT  
ALWAYS THROUGH COURT PROCEDURES, PERSONS WHO UPSET LAW  
AND ORDER OR WHO MISBEHAVE IN THE ECONOMIC FIELD. (COMMENT:  
THROUGHOUT THIS MESSAGE AND IN OTHER COMMUNICATIONS ON  
HUMAN RIGHTS ISSUES WITH REGARD TO BANGLADESH WE RECALL  
THAT TWO OF THE "FREEDOMS" PROCLAIMED BY THE ATLANTIC  
CHARTER ARE "FREEDOM FROM WANT" AND FREEDOM FROM FEAR".  
IN A NATION AS POOR AS BANGLADESH AND WITH ITS RECORD OF  
INSURGENCY, STEPS WHICH MAY CURTAIL HUMAN RIGHTS AS DEFINED  
IN DEVELOPED NATIONS ARE, IN THE LOCAL CONTEXT, PERHAPS  
MORE UNDERSTANDABLE. FOOD AND PERSONAL SECURITY  
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ARE KEYS TO SURVIVAL AND TO DEVELOPMENT. ANYTHING WHICH  
HINDERS THE IMPROVEMENT OF EITHER IS A TARGET FOR GOVERNMENT  
ACTION. END COMMENT.)

PARA 2: MLA IS HEADED BY ZIA NOT THREE SERVICE CHIEFS.

3. SECTION A, PART I, PARA 1: CORRECT: THERE IS NO EVIDENCE  
OF TORTURE, DEGRADING TRATEMENT OR KILLING.

PARA 2: BY MOST REPORTS, IT IS ESTIMATED THAT THERE ARE SEVERAL THOUSAND "POLITICAL" PRISONERS, SOME STILL DETAINED FROM THE PREVIOUS REGIME OF SHEIKH MUJIB. MANY OF THESE, HOWEVER, HAVE BEEN ACCUSED OF CRIMES, E.G., SMUGGLING, CORRUPTION.

PARA 4: THERE IS NO EVIDENCE THAT BANGLADESHIS ARE THREATENED WITH INVASION OF THE HOME, ALTHOUGH THIS WAS NOT UNKNOWN DURING THE MUJIB REGIME.

4. SECTION A, PART 2, PARA 2: MOST OF THE ESTIMATED 10 MILLION HINDUS WHO FLED THEIR VILLAGES FOR INDIA IN 1971 RETURNED TO BANGLADESH THE FOLLOWING YEAR.

PARA 4: PUBLIC MEETINGS ARE NOT REPEAT NOT PERMITTED.

SUGGEST LAST SENTENCE BE OMITTED AS UNSUBSTANTIATED AND NOT REQUIRED IN CEP.

5. SECTION A, PART 3, PARA A: DELETE SENTENCE "THE SHARP CONTRASTS BETWEEN ECONOMIC GROUPS..." IN FACT, THE CONTRAST BETWEEN ECONOMIC CLASSES IS PROFOUND IN BANGLADESH. ALTHOUGH GOVERNMENT POLICIES MAY BE WORDED TO APPEAR TO RESPOND TO THE NEEDS OF THE POOR, OFTEN THE PROGRAMS ULTIMATELY BENEFIT INSTEAD THE URBAN MIDDLE CLASS, INCLUDING GOVERNMENT EMPLOYEES. HOUSING PROJECTS FOR GOVERNMENT WORKERS (INCLUDING THE MILITARY) ARE ONE EXAMPLE AND ASSURED ACCESS TO THE RATION SYSTEM, LIMITED TO FIVE MAJOR URBAN AREAS, AND CERTAIN GROUPS SUCH AS GOVERNMENT

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EMPLOYEES, IS ANOTHER. THE POOREST OF THE POOR OFTEN DO NOT HAVE ACCESS TO THE GOVERNMENT SYSTEM AND ARE REACHED, IF AT ALL, MOSTLY ENTIRELY THROUGH BILATERAL OR MULTI-LATERALLY RESPONSED RELIEF AND DEVELOPMENT PROJECTS.

PARA B: SUBSTITUTE: CORRUPTION HAD BEEN ENDEMIC TO THIS AREA LONG BEFORE BANGLADESH APPEARED AS A NATION. CORRUPTION CONTINUES TO BE A PROBLEM IN BANGLADESH TODAY, ALTHOUGH AT THE MOMENT WE ARE AWARE OF NO FLAGRANT EXAMPLES OF ABUSE AMONG THE HIGHEST AUTHORITIES.

5. SECTION A, PART 5, PARA A: POST ALSO HAS NO INFORMATION ON AMNESTY INTERNATIONAL OFFICIAL SEAN MCBRIDE'S VISIT TO BANGLADESH. HOWEVER, IN SEPTEMBER, 1976, AN AMERICAN LAWYER, MARTIN GARBUS (REF C), CAME TO BANGLADESH TO EXPRESS AMNESTY INTERNATIONAL' CONCERN THAT PROPER LEGAL PROCEEDINGS BE FOLLOWED DURING THE MARTIAL LAW TRIAL OF A DUTCH CORRESPONDENT, PETER CUSTERS, ACCUSED OF CONSPIRACY. BDG OFFICIALS REPORTEDLY RECEIVED GARBUS AND LISTENED ATTENTIVELY TO HIS POINTS. CUSTERS WAS EVENTUALLY FOUND GUILTY AND SENTENCED BUT EXPELLED FROM THE COUNTRY.

7. SECTION B, PARA 1: ANALYSIS AND RECOMMENDATIONS:

DELETE FIRST THREE SENTENCES ENDING WITH "THAT INFLUENCE."  
SUBSTITUTE INSTEAD: QUOTE THE EXISTENCE OF THE FOURTH  
AMENDMENT TO THE BANGLADESH CONSTITUTION, DRAFTED BY  
SHEIKH MUJIB IN 1975 TO ALTER THE SYSTEM FROM A PARLIA-  
MENTARY TO A PRESIDENTIAL ONE, ADDS SOME CONFUSION TO  
GENERAL ZIA'S DECLARATION THAT "GENERAL ELECTIONS" WOULD BE  
HELD IN DECEMBER, 1978. MOST POLITICAL PARTIES ASSUME  
THAT GENERAL ELECTIONS MEAN A RETURN TO PARLIAMENTARY RULE,  
BUT ZIA HAS REMAINED SILENT ON THE STYLE OF ELECTIONS, THE  
ENSUING TYPE OF GOVERNMENT AND HAS OWN POLITICAL PLANS.  
FURTHERMORE, WHILE IT MIGHT BE ASSUMED THAT GENERAL ELECTIONS  
WOULD MEAN THE END OF TMARTIAL LAW, ZIA HAS NEVER SPECI-  
FICALLY LINKED THE TWO. THEREFORE, WHILE OUR MOST IMPORTANT  
OBJECTIVE FOR IMPROVING HUMAN RIGHTS CONDITIONS IN BANGLA-  
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DESH OVER THE NEXT SEVERAL MONTHS SHOULD BE TO ENCOURAGE  
THE BDG TO CONTINUE ITS PLANS FOR ELECTIONS, INCLUDING AN  
END TO MARTIAL LAW, WE MUST REALIZE THAT THE ELECTIONS  
MAY NOT BRING FULL-FLEDGE DEMOCRACY AND A CONCOMMITANT  
IMPROVEMENT IN HUMAN RIGHTS TO BANGLADESH. OUR FRIENDLY  
RELATIONS AND POSITION AS THE LARGEST DONOR OF FOREIGN  
ASSISTANCE PERHAPS AFFORD US SOME INFLUENCE WITH THE  
BTD BUT THIS SHOULD NOT BE OVERESTIMATED. END QUOTE.

8. SECTION B. OPTIONS, PARA B3: DELETE "GOOD  
BANGLADESHI".  
MASTERS

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## Message Attributes

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